



## Legislation Details (With Text)

<b>File #:</b>	Res 0385-2010	<b>Version:</b>	*	<b>Name:</b>	LU 141 - Zoning, Flushing Commons, Queens (N100211ZRQ)
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Adopted
		<b>In control:</b>		<b>In control:</b>	Committee on Land Use
<b>On agenda:</b>	7/29/2010				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	Resolution approving the decision of the City Planning Commission on Application No. N 100211 ZRQ, for an amendment of the Zoning Resolution of the City of New York, concerning the Downtown Flushing Waterfront Access Plan (WAP Q-2) to allow public parking lots as-of-right and to exempt such parking from requirements for public access and visual corridors pursuant to Section 62-952 of the Zoning Resolution, Borough of Queens (L.U. No. 141).				
<b>Sponsors:</b>	Leroy G. Comrie, Jr., Mark S. Weprin				
<b>Indexes:</b>					
<b>Attachments:</b>	1. Committee Report, 2. Hearing Transcript - Stated Meeting 7/29/10				

Date	Ver.	Action By	Action	Result
7/28/2010	*	Committee on Land Use	Approved by Committee	
7/29/2010	*	City Council	Approved, by Council	Pass

### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 385

Resolution approving the decision of the City Planning Commission on Application No. N 100211 ZRQ, for an amendment of the Zoning Resolution of the City of New York, concerning the Downtown Flushing Waterfront Access Plan (WAP Q-2) to allow public parking lots as-of-right and to exempt such parking from requirements for public access and visual corridors pursuant to Section 62-952 of the Zoning Resolution, Borough of Queens (L.U. No. 141).

By Council Members Comrie and Weprin

WHEREAS, the City Planning Commission filed with the Council on June 25, 2010 its decision dated June 23, 2010 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Flushing Commons LLC, for an amendment of the Zoning Resolution of the City of New York concerning the Downtown Flushing Waterfront Access Plan (WAP Q-2) to allow public parking lots as-of-right and to exempt such parking from requirements for public access and visual corridors pursuant to Section 62-952 of the Zoning Resolution, Community District 7, Borough of Queens (Application No. N 100211 ZRQ), (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 100206 PPQ (L.U. No. 136), a disposition of city-owned property; C 100207 ZMQ (L.U. No. 137), an amendment of the Zoning Map, changing from a C4-3 District to a C4-4 District; C 100208 ZSQ (L.U. No. 138), special permit pursuant to Sections 74-743(a)(2), 74-743(a)(4) and 74-744(b) to modify certain zoning requirements within a General Large Scale Development (GLSD); C 100209 ZSQ (L.U. No. 139), special permit pursuant to Section 74-512 to

allow a public parking facility with a maximum capacity of 1,600 spaces; N 100210 ZRQ (L.U. No. 140), a zoning text amendment relating to Section 74-743 (Special Provisions for Bulk Modification), relating to open space in General Large Scale Developments (GLSD) in C4-4 Districts; C 100212 ZSQ (L.U. No. 142), special permit pursuant to Section 74-512 to allow a public parking lot with a maximum capacity of 647 spaces; C 100213 ZSQ (L.U. No. 143), special permit pursuant to Sections 62-835 and 74-512 to allow a public parking lot with a maximum capacity of 309 spaces; and C 100214 ZSQ (L.U. No. 144), special permit pursuant to Section 74-512 to allow a public parking lot with a maximum capacity of 275 attended parking spaces;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on July 15, 2010;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on June 11, 2010 (CEQR No. 06DME10Q);

RESOLVED:

Having considered the FEIS, with respect to the Application, the Council finds that:

- (2) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts revealed in the environmental impact statement will be minimized or avoided to the maximum extent possible by incorporating as conditions to the approval those mitigative measures that were identified as practicable; and
- (2) The Decision and the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.9(c)(3).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, N 100211 ZRQ, incorporated by reference herein, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;

Matter in ~~Strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10;

\*\*\* indicated where unchanged text appears in the Zoning Resolution

## 62-952

### Waterfront Access Plan Q-2; Downtown Flushing

Maps Q-2a through Q-2c in paragraph ~~(e)~~ (f) of this Section show the boundaries of the area comprising the Downtown Flushing Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on September 17, 1998, as follows:

#### b) Special public access provisions by parcel

The requirements for #waterfront public access areas# of Sections 62-53 through 62-57 inclusive, and Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, are modified at the following designated locations which are shown on Map Q-2b in paragraphs ~~(e)~~(f) of this Section:

\* \* \*

#### (2) Parcel 2

##### (i) #Shore public walkway#

The requirements of Section 62-53 are modified to reduce the minimum required width of the #shore public walkway# to 20 feet. The quantity of public access area eliminated from the #shore public walkway# as a result of this width reduction shall be provided adjoining the intersection of the required #upland connection# and the #shore public walkway# and shall be improved pursuant to the standards for a #supplemental public access area#, as set forth in Section 62-62.

##### (ii) #Upland connection#

An #upland connection# shall be located between College Point Boulevard and the #shore public walkway#, either: (1) within the flexible location zone indicated on Map Q-2b in paragraph ~~(e)~~(f) of this Section, having as its northerly boundary the straight-line extension of that portion of the boundary between Parcels 1 and 2 which intersects with College Point Boulevard and, as its southern boundary, the prolongation of the southerly #street line# of 37<sup>th</sup> Avenue; or (2) continuously adjoining the boundary between Parcels 1 and 2.

- (i) No public access shall be required for any #public parking lot#, provided such #public parking lot# was approved pursuant to Section 74-512 (In other Districts) and is an interim use that is limited to a term of not more than ten years.

\* \* \*

#### (c) Special visual corridor provisions by parcel

The designated locations for #visual corridors# pursuant to this Plan shall be as follows and are shown on Map Q-2c in paragraph ~~(e)~~(f) of this Section:

##### (1) Parcel 1

A #visual corridor# shall be provided through Parcel 1 to the pierhead line as the prolongation of the #street lines# of 36<sup>th</sup> Road. Any #building or other structure# existing on September 17, 1998, shall be a permitted obstruction.

(2) Parcel 2

A #visual corridor# shall be provided through Parcel 2 to the pierhead line as the prolongation of the #street lines# of 37<sup>th</sup> Avenue. However, no #visual corridor# shall be required for any #public parking lot#, provided such #public parking lot# was approved pursuant to Section 74-512 provided that the parking facility is an interim use limited to a term of not more than ten years.

\* \* \*

(e) Special use provisions by parcel

(1) Parcel 2

The City Planning Commission may permit #public parking lots# on #waterfront blocks# in accordance with applicable district regulations and Section 74-512 provided that the parking facility is an interim #use# limited to a term of not more than ten years.

~~(e)~~(f) Downtown Flushing Waterfront Access Plan Maps

\* \* \*

Adopted.

Office of the City Clerk, }  
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on July 29, 2010, on file in this office.

.....  
City Clerk, Clerk of The Council